

like Words in effect, where of truth the parties so indicted had no manner of such Weapons at the time of the said Offence committed and done; (2) yet in default and lack of the same Words, the said Indictments were, and yet be taken as void in the Law, for to put any person to answer thereunto: (3) **366** and the party \*or parties, so indicted, for lack of the same Words not being comprised and put in the said Indictments, have taken advantage thereof, and have avoided the same Indictments by Writ or Writs of Error, or by Plea upon his or their appearance, as the same Case did require: (4) For reformation whereof, be it enacted by the King our Sovereign Lord, with the assent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, That from the Feast of the Nativity of our Lord God next coming, these Words, *Vi & armis, viz. cum baculis, cultellis, arcubus, & sagittis*, or such other like, shall not of necessity be put or comprised in any Inquisition or Indictment; (5) nor that the party or parties being hereafter indicted of any Offence, shall have or take any Advantage by Writ or Writs of Error, Plea, or otherwise, to adnul or avoid any such Inquisition or Indictment, for that, that the said Words, *Vi & armis, viz. baculis, cultellis, arcubus, & sagittis*, or any of the same or like Words, shall not be put or comprised in the said Inquisitions or Indictments; (6) But that the same Inquisitions or Indictments, and every of them, lacking the said Words, *Vi & armis, viz. baculis, cultellis, arcubus, & sagittis*, or any of them, shall from henceforth, by the Authority aforesaid, be taken, deemed, and adjudged, to all intents, constructions, and purposes, as good and effectual in the Law, as the same Inquisitions and Indictments, having the said Words, *Vi & armis, viz. baculis, cultellis, arcubus, & sagittis*, comprised and put in every of the same Inquisitions and Indictments were, or heretofore have been taken, deemed, or adjudged; any Law, Usage, or Custom heretofore had and used to the contrary notwithstanding.

See Code, Art. 30, sec. 82,<sup>1</sup> and Act 1867, ch. 388.<sup>2</sup>

<sup>1</sup> Code 1904, Art. 27, sec. 438.

<sup>2</sup> Code 1911, Art. 75, sec. 8; *Barabasz v. Kabat*, 91 Md. 55.